

C-1 Exemption and Parking and Loading Clean-Up

Relevant New Definitions:

Large Parking Area: [tbd...right now more than 35 spaces].

Substantial Building or Structure Change: Any Construction that increases the above-ground **Gross Floor Area** by more than 25% or 1,000 square feet, whichever is smaller.

Pam asks: If the only place that this terminology is used is our Parking bylaw, do we need to put it into Definitions Section? See suggested approach that keeps the definition within the table below.

Parking Area: Any area used or intended for use for vehicle parking including loading and unloading areas but not including driveways except for **Single-** and **Two-Family Dwellings**.

Use: The purpose(s) for which a **Building, Structure** or **Lot** may be occupied, commercialized, designated, arranged, intended, or maintained.

Landscaping: Living vegetation that consists of one or any combination of grass, ground covers, shrubs, vines, hedges, or trees (minimum of three-inch caliper at planting). Required landscaping also may include up to 50 percent, measured by square footage at the base, of non-living durable materials commonly used in landscaping such as but not limited to rocks, pebbles or wood chips, but excluding asphalt or concrete. Existing healthy trees shall be preserved wherever possible.

- Pam asked: Are Landscaping limitations repeated anywhere else besides Parking? If so, should we put those requirements their own Section? Gwen responded: Parking section has the most detailed requirements in terms of landscaping.

SECTION 7. GENERAL REGULATIONS

7.1. PARKING AREA AND LOADING SPACE REQUIREMENTS

7.1.1. Compliance and Requests for Changes.

All **Buildings** and **Structures**, including those that are changed with new construction or those that have a change in **Use**, must comply with the requirements provided in this Section.

Any requirements of this Section may be modified by a Special Permit from the Board of Appeals, or by the Building Commissioner or Superintendent of Public Works as noted herein, upon determination that specific circumstances render a lesser provision adequate for the **Parking** or **Loading Space** need(s) in question.

7.1.2 Commercial “C” Zoning District Exemptions.

The following exemptions promote adaptive re-use of existing **Buildings** and **Structures** and the replication of historic massing and density in the Commercial “C” zoning district:

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <p>Buildings and Structures in the Commercial “C” District are exempt from:</p> <ul style="list-style-type: none"> • 7.1.4 Parking Space Quantity Requirements • 7.1.6.1 30’ side and rear setbacks • 7.1.16 Loading Standards <p>if:</p> | |
| Change of Use with no Substantial Building or Structure Change | Yes – Exempt |
| Construction with no Substantial Building or Structure Change | Yes – Exempt |
| <ul style="list-style-type: none"> • A Substantial Building or Structure Change is any Construction that increases the Gross Floor Area by more than 25% or 1,000 square feet, whichever is smaller. | |
| Change of Use with Substantial Building or Structure Change | No – Not exempt |
| Construction with Substantial Building or Structure Change (which includes new Construction on buildable Lots.) | No – Not exempt |

Location.

Parking Areas and Loading Spaces shall be on the same **Lot** as the **Building** or **Structure** they serve unless otherwise allowed by 7.1.5 (Shared Parking).

7.1.3 Parking Space Quantity Requirements.

Parking spaces shall be provided per the following Table of **Uses**. A fraction of one-half (½) or more shall be counted as one (1):

Table 7.1.4: Parking Space Quantity Requirements:

| Use | Number of Spaces | Reference |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Multiple Uses | <p>The sum of the spaces required for each Use.</p> <p>However, to avoid large expanses of unused parking, this sum-total may be reduced by Special Permit per the process for Shared Parking.</p> <p>For example:</p> <ul style="list-style-type: none"> • A Motel with a restaurant must provide parking for each Motel Unit plus the number of spaces required to operate the restaurant as if it were a stand-alone entity. • A Home Occupation in a Single-Family Dwelling must provide space(s) for the office plus the number of spaces required for the residential use. • Requirements may be reduced by Special Permit per the process outlined for Shared Parking. | Section 7.1.5 |
| Single-Family Dwelling Units; Two-Family Dwelling (Duplex) Units | Two (2) spaces per dwelling unit. | |
| Apartment Units; Multi-Family Dwelling Units; Townhouses; Assisted Living Residences | Two (2) spaces per every three (3) bedrooms. | Section 9.1 |
| Accessory Dwelling Unit (ADU) | One (1) additional on-site parking space. | Section 9.2 |
| Bed and Breakfast Inn; Seasonal Rental of Rooms | One (1) space per rented room plus one (1) space for owner. | Section 8.8 |

| | | |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <i>Motels, Hotels, Resorts</i> | One (1) space for each sleeping room + Two (2) spaces for employees + One (1) space for each 250 square feet of floor <u>space for public functions</u> = Total number of spaces required. | Section 8.1 (<i>Motels, Hotels</i>) Section 8.5 (<i>Resorts</i>) |
| <i>Home Occupation; Farm Stand, Nonexempt</i> | One (1) customer space plus one (1) space for the one (1) permitted nonresident employee. No outside parking of more than one (1) commercial vehicle as defined by the Registry of Motor Vehicles in 540 CMR 4.02. | Section 9.9 (Home Occupation) |
| Retail businesses, consumer service establishments, and offices | One (1) space for each 300 square feet of gross floor area. | If in the C-1A or C-3A Zoning District, see Site Plan Approval for additional guidance. |
| <i>Eating Establishments, other places of assembly</i> | One (1) space for each three (3) seats. | If in the C-1A or C-3A Zoning District, see Site Plan Approval for additional guidance. |
| Warehouses and other commercial or industrial buildings | One (1) space for each 1,000 square feet of gross floor area. | |
| Classrooms and/or dormitories: Grades 1-10 | One (1) space for each staff member. | Section 8.6 |
| Grades 11-12 | One (1) space for each staff member plus one (1) space for every two (2) students. | Section 8.6 |
| College | One (1) space for each staff member plus two (2) spaces for every three (3) students. | Section 8.6 |
| Open Space Flexible Development | See Section 9.7 for requirements. | Section 9.7 |
| Residential Inclusionary Development | See Section 9.8 for requirements. | Section 9.8 |

7.1.4 Shared Parking.

To avoid large expanses of unused parking spaces, we encourage Shared Parking arrangements between and among different ***Buildings, Structures, Uses, Mixed Uses, and Lots***; these can include properties with different owners. A Special Permit is required.

Required by applicant(s) for both On-Site and Off-Site Shared Parking:

1. File Jointly: All participants in a Shared Parking arrangement shall be considered applicants and shall file jointly for a Special Permit. Abutter notifications shall be made recognizing the locations of all applicants.
2. Peak Usage Study: The number of spaces that applicant(s) may be permitted to share will be based on the applicant(s)' analysis of the competing- or non-competing *Uses* involved. The existence of shared service drives also may be considered as part of the determination. Applicant(s) may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Board of Appeals.
3. Shall be subject to a legally binding agreement between all parties involved that will be presented to the Board of Appeals during the Site Plan Review or Special Permit process or as a condition of approval.

Additional requirements for On-Site [contiguous] Shared Parking:

1. Non-competing Uses. Up to 75% of the Parking Space Quantity Requirements may be waived if the applicant(s) can demonstrate that the peak demands for *Uses* do not overlap.
2. Competing Uses. Up to 30% of the Parking Space Quantity Requirements may be waived if the peak demands for *Uses* overlap.

Additional requirements for Off-Site [not contiguous] Shared Parking:

3. Non-competing Uses. Up to 50% of the Parking Space Quantity Requirements may be waived if the applicant(s) can demonstrate that the peak demands for *Uses* do not overlap.
4. Typically used for employee parking. Discouraged for customers of commercial *Uses*, but may be approved. NOTE GWEN SAYS: This language strikes me as discretionary. Let's be more clear as to what is guidance and what is an enforceable regulation.
5. Shall be within 600 feet of the **Building** or **Structure** for which it is being requested.
6. Applicant(s) shall be responsible for providing safe, convenient walking between *Uses* and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting.
7. May be applied for separate from, or in conjunction with, On-Site Shared Parking.

7.1.5 Parking Design Standards for All Zoning Districts unless Otherwise Noted.

1. **Parking Setback** requirements are included in Table 6.1.1– Table of Dimensional Requirements:

Table 6.1.1– Table of Dimensional Requirements

| Districts Requirements | Reside | | | | Commercial | | | Indust |
|------------------------------|----------|----------|------|------|------------|----------|-----|--------|
| | R- 3A | R- 1A | R-30 | R-15 | C- 3A | C- 1A | C | I |
| 4.C. Parking Area Setback | | | | | 30' | 30' | n/a | 30' |

2. Note above: Gwen says Footnote 4 (which now has been changed to n/a) reads: “In view of small and irregular lot sizes, application for a new building will be accepted for consideration based on areas no less than current lot sizes. Fireproof walls on one side to the lot line are permissible if there is at least 15’ setback on the other side of the building”.
3. No **Parking Area** or driveway shall be located within 30 feet of any side or rear **Lot** line in the Industrial, C-1A and C-3A zoning district. Properties in residential districts and the Commercial “C” district are exempt from this requirement. PAM ASKS: Isn’t this what the table says or is it different? That is, is 6.1.1 only about FRONT setbacks?
4. Intermediate-height **Fencing** is not permitted in districts with a **Parking Area Setback** requirement (shown in table above).
5. Any **Parking Area** located within a **Building** or **Structure**, unless it is completely underground, must conform to the **Building** or **Structure** (rather than **Parking Area**-) setback requirements for the zoning district in which it is located.
6. No parking space shall be located within 10 feet of that portion of a **Building** or **Structure** wall containing rooms at basement or first-story levels habitable by people. However, parking spaces serving one-, two-, or three-family dwellings may be located within five (5) feet of that portion of such **Building** or **Structure** wall.
7. In the C-3A district, no part of any **Parking Area** or internal roadway shall be located within 30 feet of a residential district or of an open space district, a park or public recreation area or within 50 feet of the right-of-way of Route 7/20.
8. **Parking Areas** shall have maneuvering areas and appropriate means of vehicle access to a street and shall be designed to not constitute a nuisance, hazard, or unreasonable impediment to traffic.
9. **Parking Areas** shall have plainly visible, continuously maintained markings that clearly indicate the space to be occupied by each vehicle. Directional arrows and traffic signs shall also be provided as necessary for traffic control.
10. All roads, streets, sidewalks and other public rights-of-way and all landscaped areas shall be protected from vehicle overhang by wheel bumpers, curbs or another suitable method.

7.1.7: Parking Design for all Zoning Districts Exempting **Single-** and **Two-Family (Duplex) Dwelling Units**.

1. Parking Space and Travel Lane Dimensional Requirements:

Parking Space Dimensional Requirements

| Space | Equivalent 90 Width | Minimum Equivalent 90 Depth | Vertical Clearance | Angle of Parking | Aisle Width |
|------------|---------------------|-----------------------------|--------------------|------------------|-------------|
| Regular | 8 ½ feet | 19 feet | 7 ½ feet | 60 | 22 feet |
| Accessible | 12 feet | 20 feet | 7 ½ feet | 60 | 22 feet |

¹ Measured from the inner most point on the parking space centerline perpendicular to the edge of the travel lane. NOTE PAM SAYS: I don't see the first part of the footnote in the table

1. **Parking Areas** for more than five (5) vehicles shall average at least 300 square feet per vehicle exclusive of driveways.
2. **Large Parking Areas** shall be paved. **Large Parking Areas** used only from June 1 to October 31 are exempt from this requirement if the Superintendent of Public Works approves grass cover on top of a required gravel base.
3. All other **Parking Areas** shall be (i) paved or (ii) covered with a surfacing material meeting the following specifications and approved by the Superintendent of Public Works:
 - a. Face course to be minimum 8" thick compacted gravel - type B.
 - b. Layers to be 4" lifts maximum. Sub-base - rolled.
 - c. Areas unsuitable to be excavated -shall be replaced with road stone and re-rolled.

7.1.6 Curb Cuts on Town Ways.

- 7.1.6.1.1 Maximum width for a curb cut shall be 34 feet measured at the front **Lot** line.
- 7.1.6.1.2 No curb cut shall be located closer than 25 feet to a street or road intersection or within 15 feet of a crosswalk.
- 7.1.6.1.3 A Special Permit may be requested to increase the width to a maximum of 60 feet. Applications must show that (i) a larger curb cut is needed to accommodate traffic volume entering and exiting the **Lot** and/or traffic volume the public ways they are entering or exiting, and (ii) a larger curb cut would not cause danger to vehicles or pedestrians using the Town way and to vehicles entering and exiting the property, and (iii) the **Lot** will not generate traffic that will lower levels of service on the Town way or at any nearby intersection below a level of service C at peak hour as defined in **NAME SOURCE**.
- 7.1.6.1.4 No more than one curb cut per **Lot**. A Special Permit may be requested for an additional curb cut. Applications must show that the additional curb could would (i) materially improve safety for vehicle traffic or pedestrians using the site or traveling on adjacent public ways, or (ii) be desirable for emergency vehicle access secured for that purpose.
- 7.1.6.1.5 Sight distances for curb cut locations shall be based on the standards established by the American Association of State Highway and Transportation Officials in effect on May 1, 1988, as amended.

- 7.1.9 Driveways.
- 7.1.9.1.1 The minimum traveled width for a one-way driveway shall be twelve (12) feet. The minimum traveled width for a two-way driveway shall be twenty-four (24) feet.
- 7.1.9.1.2 All curb cuts shall be located more than 25 feet from a street or road intersection and more than 15 feet from a crosswalk.
- 7.1.10 Drainage, Surfacing, and Maintenance.
- 7.1.10.1 Paved **Parking Areas** shall be graded, surfaced and maintained to the satisfaction of the Department of Public Works to the extent necessary to prevent nuisance of dust, erosion, or excessive water flow onto any public way or onto another lot.
- 7.1.10.2 **Parking Areas** shall be kept plowed, clean and free from rubbish and debris. All Structures, landscaping and lighting shall be maintained and kept repaired or shall be replaced to satisfy the requirements of this Section.
- 7.1.11 Snow Storage.
- 7.1.11.1 **Parking Areas** shall have a designated area(s) to place snow. This snow storage area shall adjoin or be reasonably near the **Parking Area** and shall be sized to hold a reasonable amount of snow from the **Parking Area** after a heavy snowfall. In addition, or as an alternative, to providing a storage area, the Department of Public Works may approve a procedure for trucking snow from the area.
- 7.1.12 Lighting.
- 7.1.12.1 **Parking Areas** that are used at night shall be provided with adequate lighting. A recommended standard is a minimum intensity of one (1) foot candle on the entire surface of the **Parking Area**. All lighting will be designed, installed and maintained so that it does not reflect or cause glare on abutting or facing residential premises nor cause reflection or glare that adversely affects safe vision of operators of vehicles moving on nearby streets.
- 7.1.13 **Large Parking Areas: Landscaping and Screening** Requirements.
- 7.1.13.1 The Building Commissioner may issue a temporary certificate of occupancy for up to six months to allow owners to conform with these requirements.
- 7.1.13.2 **Large Parking Areas - Interior Landscaping** Requirements.
- 7.1.13.3 At least 15 percent of the interior space of the **Parking Area** and 100 percent of the **Setbacks** shall include **Landscaping** that is continuously maintained.
- 7.1.13.3.1 A row of 15 or more contiguous parking spaces shall contain a densely planted landscaped buffer of at least the dimensions of one (1) space.

7.1.13.3.2 The **Parking Area** shall contain at least one (1) tree for every 10 parking spaces. These may be placed in either the landscaped **Setbacks** (described above) or in separate planting areas. Each planting area shall be at least 25 square feet in size with no dimensions less than five (5) feet. Each planting area shall contain at least one tree.

7.1.13.3.2.1.1 NOTE PAM ASKS: Jim B pointed out: This allows that a Large Parking Area could have one long narrow strip of landscaping. Do we want this? AND GWEN REPLIED: Ideally all the parking lots in the world would have distributed landscaping and green infrastructure elements. It's difficult in the Northeast bc of plowing needs, and it makes maintenance (like when a business wants to repave or grade the parking area). I'll look at some other examples prior to Tuesday's meeting.

7.1.13.3.3 Existing and new trees shall be protected by bollards, high curbs, or other barriers sufficient to prevent damage.

7.1.13.3.4 The trees, whether coniferous or deciduous, flowering or non-flowering, should be tolerant of environmental conditions, should be able to screen parking areas due to their size, form, foliage density and spread, and should be easy to maintain. A suggested list of trees that meet these criteria is:

7.1.13.3.4.1 Coniferous. Botanical name (common name):
Pinus Strobus (Eastern White Pine); Tsuga Canadensis (Canadian Hemlock); Pinus Resinosa (Red Pine); Picea Glauca (White Spruce); Picea Abies (Norway Spruce); Picea Pungens Glauca Kosteriana (Blue Spruce); Picea Rubens (Red Spruce).

7.1.13.3.4.2 Deciduous. Botanical name (common name):
Fagus Grandifolia (American Beech); Acer rubrum (Red Maple); Acer saccharum (Sugar Maple); Fraxinus Americana (White Ash); Fraxinus Pennsylvanica (Green Ash); Thuja Occidentalis (Eastern Arborvitae); Quercus palustris (Pin Oak); Quercus rubra (Red Oak); Tilia cordata greenspire (Littleleaf Linden); Tilia Europaea (Common Linden); Ulmus Americana (American Elm).

7.1.13.3.5 Removing any tree exceeding six-inch caliper to accommodate construction of a Parking Area is discouraged.

7.1.13.4 **Large Parking Areas - Setbacks** Screening Requirements.

7.1.13.4.1 **Screening** shall consist of a strip of densely planted shrubs or trees that are at least three (3) feet high and five (5) feet wide at the time of planting and shall form a continuous, unbroken, year-round visual screen within three (3) years.

7.1.13.4.2 Alternatively, rear and side yards may meet this requirement

with **Fencing** that is four-to six-feet high. Up to 50 percent of the face may be open.

7.1.13.4.3 To prevent obstruction of vehicle sight distances at entrances and exits, screening shall be maximum two (2) feet high within 30 feet of an intersection and 10 feet of a driveway.

7.1.13.4.4 No advertising except for permitted identification signage shall be allowed in **Screening**.

7.1.13.4.5 **Screening** requirements may be waived by the Building Commissioner if:

7.1.13.4.5.1.1 an adjacent **Lot** provides screening within five (5) feet of the common **Lot** line;

7.1.13.4.5.1.2 a **Building** is located on an adjacent lot within five (5) feet of the common Lot line; or

7.1.13.4.5.1.3 the **Parking Area** is screened by a natural terrain feature or change in grade.

7.1.14 Bicycles.

7.1.14.1 Bicycle parking spaces may be located near the entrance of the **Use** being served and within view of pedestrian traffic, if possible, and shall be sufficiently secure to reasonably reduce the likelihood of bicycle theft.

7.1.15 Loading Space Standards.

7.1.15.1 All **Loading Spaces** and the drives and maneuvering spaces they use shall be located entirely on the **Lot** with direct access to the **Building** or **Structure** intended to be served.

7.1.15.2 An adequate number of **Loading Spaces** must be provided so that no vehicle or vehicles need to back onto or park on a public way while in use or in a queue.

7.1.15.3 Each **Loading Space** shall be at least 10 feet wide, 35 feet long, and 14 feet high, exclusive of drives and maneuvering space.

7.1.15.4 Each **Loading Space** shall have a minimum clear height, including access to it, of 14 feet.

7.1.15.5 **Loading Spaces** shall be located so that they do not interfere with internal traffic circulation.